CONSTITUTION AND BYLAWS

OF THE

AFFILIATED UTE CITIZENS OF THE STATE OF UTAH

PREAMBLE

We, the mixed-blood members of the Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, invoking the divine guidance of Almighty God, seeking to more effectively comply with the legal requirements of the United States Government and all political subdivisions to which we are, and are to become, subject, to more ably assume the new obligations in justice now to be required of us, to protect the privileges and rights we do equitably claim, to preserve the cultural values we may possess, to encourage desirable and amicable relations with other citizens of our respective communities and to promote the general welfare of all, do ordain and establish this Constitution and Bylaws for the Affiliated Ute Citizens of the State of Utah.

ARTICLE I--MEMBERSHIP

The membership of the Affiliated Ute Citizens of the State of Utah shall consist of all persons whose names appear on the final mixed-blood membership roll as published in the Federal Register pursuant to Public Law 671, 83d Congress, 2d session (68 Stat. 868).

ARTICLE II--BOARD OF DIRECTORS

Section 1. The management of the affairs and funds of the Affiliated Ute Citizens of the State of Utah shall be vested in a Board of five Directors.

Section 2. The members of the Board of Directors shall be elected for a term of two years except at the first election when three members shall be elected for a term of one year and two members for a term of two years. The members of the Board of Directors shall be elected in a manner as provided in this Constitution and Bylaws.

Section 3. The Board of Directors shall elect by ballot one of their number President and one Vice-President. The offices of Secretary and Treasurer may, in the discretion of said Board, be combined and said Secretary and Treasurer may, but need not necessarily, be members of the Board of members of this organization.

Section 4. Three Directors present in person at any meeting of The Board shall constitute a quorum. Business may be transacted by a majority vote of the Directors present at such meeting. In the case of a tie vote upon any matter, the same shall fail to pass for want of a majority vote. The presiding officer shall be entitled to vote.

Section 5. Any action of a majority of the Board of Directors, although not at a regularly called meeting, and the record thereof, if assented to in writing by all of the other members of the Board, shall always be as valid and effective in all respects as if passed by the Board at a regular meeting.

ARTICLE III--NOMINATIONS AND ELECTIONS

Section 1. Any member of the Affiliated Ute Citizens of the State of Utah twenty-one years of age or over shall be entitled to vote and to hold office.

Section 2. All elections shall be by secret ballot, and all nominations and elections shall be held in accordance with the Bylaws.

Section 3. The first general election shall be called by the Superintendent of the Uintah and Ouray Agency on the third Saturday following ratification of the Constitution and Bylaws and the posting of the results of the election therefore at the Uintah and Ouray Agency. Thereafter, elections shall be held in accordance with rules adopted by the Board of Directors as provided in Article IV of the Bylaws.

ARTICLE IV--VACANCIES AND REMOVAL FROM OFFICE

Section 1. If a member of the Board of Directors shall die, resign, be removed, or recalled from office, as hereinafter provided, or be found guilty in any State or Federal court of a felony or misdemeanor involving dishonesty, the position shall be declared vacant and the Board of Directors shall fill the vacancy until the next general election.

Section 2. The Board may, by four affirmative votes, expel any member of said Board for neglect of duty or gross misconduct. Before any vote for expulsion is taken on the matter, the member shall be given a written statement of the charges against him at least five days before the meeting of the Board before which he is to appear and an opportunity to answer any and all charges at such designated Board meeting. The decision of the Board shall be final.

Section 3. Upon receipt of a petition signed by one-third of the eligible voters of the organization calling for the recall of any member of the Board, it shall be the duty of the Board to call an election on such recall petition. No member may be recalled in any such election unless at least fifty percent (50%) of the legal voters of the organization shall vote at such election and such election shall carry by at least a two-thirds majority of those voting.

ARTICLE V--POWERS OF THE BOARD OF DIRECTORS

Section 1. The Board of Directors shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States or the State of Utah, and subject further to all express restrictions upon such powers contained in this Constitution and Bylaws adopted pursuant thereto, and subject to review by the membership of said organization at any annual or special membership meeting:

(a) To perform all the duties and functions of the mixed-blood members as the authorized representatives thereof pursuant to and in accordance with Public Law 671, 83d Congress, 2d session (68 Stat. 868), and all members thereto.

(b) To irrevocably delegate to corporations, or the officers thereof, organized pursuant to and in accordance with Public Law 671, 83d Congress, 2d session (68 Stat. 868), to receive, manage, distribute or otherwise handle assets of the mixed-blood members of the Ute Indian Tribe of the Uintah and Ouray Reservation, such powers and authority as may be necessary or desirable in the accomplishment of the objects and purposes for which said corporations may be so organized.

(c) To employ legal counsel, the choice and fixing of fees to be subject to the approval of the Secretary of the Interior until Federal supervision over all of the members of said group and their property is terminated in the manner provided in said act.

(d) To appropriate for salaries of employees or for other purposes of the organization any available, unobligated funds: Provided, That all appropriations are within a budget previously adopted by the general membership; Provided further, That all appropriations made prior to the termination of Federal supervision over the members of said organization and their property shall be subject to such approval by the Secretary of the Interior as may be required by law. Any appropri-

ation not included within a previously adopted budget must be first approved at a meeting of the membership.

(e) To take such action as may be deemed advisable to foster and encourage participation of the members of the organization in the civic affairs of the cities, towns, counties, State and the United States.

(f) To negotiate with all governmental bodies, agencies, civic and religious groups as representatives of the members hereof for the purpose of promoting the general welfare of said members.

(g) To provide for a referendum of the members of this organization whenever required under said Public Law 671 or upon any other matter deemed by said Board to be necessary or desirable to the welfare or best interests of the members of this organization.

(h) To employ an Executive Director, if such is deemed advisable by said Board, provided, no member of the Board of Directors may be selected as such Executive Director.

ARTICLE VI--AMENDMENTS

Until such time as Federal supervision over all the members of said organization and their property is terminated, this Constitution may be amended in the same manner as provided for the adoption of this Constitution in said Public Law 671. After such a termination of Federal supervision, any amendment must be submitted by the Board of Directors to members of the organization and must be approved by a two-thirds majority of those voting at any election for that purpose under such rules as may be prescribed by the Board of Directors.

BYLAWS OF THE AFFILIATED UTE CITIZENS OF THE STATE OF UTAH

ARTICLE I--DUTIES OF OFFICERS

Section 1. President: The President shall preside over all meetings of the Board, shall perform all duties of a chairman and exercise any authority delegated to him by the Board. He shall have the privilege of voting.

Section 2. Vice-President: The Vice-President shall assist the President when called upon so to do and in the absence of the President he shall preside. When so presiding, he shall have all of the rights, privileges, duties, and responsibilities of the President.

Section 3. Secretary: The Secretary shall conduct all correspondence for this organization and shall keep an accurate record of all matters transacted in Directors' meetings. It shall be his duty to submit promptly to each member of the Board copies of all minutes of regular and special meetings of the Board of Directors.

Section 4. Treasurer: The Treasurer shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the Board of Directors. He shall deposit all such funds in such bank or elsewhere as directed by the Board of Directors and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession or custody. Such report shall be made in writing to the Board of Directors at such times as requested by the Board of Directors. He shall not pay out or otherwise disburse any funds in his possession or custody or in the possession or custody of the Board of Directors except when properly authorized to do so by resolution duly passed by the Board of Directors; and all expenditures must be made from proper appropriations made pursuant to the provisions of the Constitution of this organization. The books and records of the Treasurer shall be audited by a competent auditor employed by the Board of Directors at such times as the Board of Directors may direct, but not less than once each year. The Treasurer shall be required to give a bond satisfactory to the Board of Directors. The Treasurer shall be present at all regular and special meetings of the Board of Directors.

Section 5. Appointive Officers: The duties of all appointive committees or officers, including the Executive Director, of the Affiliated Ute Citizens of the State of Utah shall be clearly defined by resolution of the Board of Directors at the time of their creation or appointment. Such committees and officers shall report from time to time as required by the Board of Directors and their activities and decisions shall be subject to review by the Board of Directors.

ARTICLE II -- SALARIES

The Board of Directors may prescribe such salaries of officers or of the Board members as it deems advisable from such funds as may be available and included within a budget approved at any regular or special membership meeting.

ARTICLE III -- MEETINGS

Section 1. General Membership Meetings: There shall, on the fourth Saturday in May, be an annual meeting open to all members of the Affiliated Ute

Citizens of the State of Utah held at a designated place approved by the Board of Directors. Notice of such meeting shall be given in such manner as the Board of Directors may deem advisable. (As amended by the Board of Directors May 4, 1969. Before the amendment, this clause section provided that meetings would be on the last Monday of May).

Section 2. Special Membership Meetings: Special membership meetings may be called by the President or the Board of Directors, provided that due notice is mailed to the last known address of all members of this organization thirty days prior to such meeting. Fifteen legal voters of this organization may at any time by written petition call a special membership meeting provided that at least thirty days notice is mailed to the last known address to all members of this organization.

Section 3. Meetings of the Board of Directors: Meetings of the Board of Directors shall be held at such times and such places as the Board itself may determine. The President may also call a meeting of the Board of Directors, a nd in either event written notice must be duly served on each member of the Board a reasonalbe time before said meeting. Any action of the majority of the Board of Directors although not at a regularly called meeting, and the record thereof, if assented to in writing by all the other members of the Board, shall always be as valid and effective in all respects as if passed by the Board at a regular meeting. Whenever any notice whatever is required to be given under the provisions of these Bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent thereto.

Section 4. Quorum. A quorum of a general membership meeting shall consist of not less than thirty voters at the annual meeting and twenty-five voters at a special meeting. A quorum of the Board of Directors shall consist of three members of the Board of Directors.

ARTICLE IV -- NOMINATIONS AND ELECTIONS

Nominations shall be made and elections held by a secret ballot in accordance with rules to be adopted by the Board of Directors, but provision shall be made for nominations at least thirty days prior to elections. Provision shall also be made for absentee ballots.

ARTICLE V--AMENTMENTS

These Bylaws may be amended by an affirmative vote of four or more members of the Board of Directors.

CERTIFICATION

Preston Allen and Anita Reyos, being the president and secretary, respectively, of the Affiliated Ute Citizens of the State of Utah, do hereby certify that the foregoing is a true and correct copy of the Constitution and Bylaws of the Affiliated Ute Citizens of the State of Utah as adopted pursuant to Section 6 of the Act of August 27, 1954, (68 Stat. 869) and ratified by the Affiliated Ute Citizens of the State of Utah at an election held on May 12, 1956 in accordance with said Section 6 of the Public Law 83-671, and as subsequently amended in Article III, Section 1 of said Bylaws in accordance with the Resolution of the Board of Directors of January 25, 1969.

Preston Allen, President

Anita Reyos

Anita Reyos, Secretary

I, Glenn L. Emmons, Commissioner of Indian Affairs, by virtue of the authority granted to me in section 6 of the act of August 27, 1954 (68 Stat. 869), do hereby approve the attached Constitution and Bylaws for the Affiliated Ute Citizens of the State of Utah.

Glenn L. Emmons
Commissioner of Indian Affairs

Washington, D.C., Apr-5 1956

CERTIFICATION OF ADOPTION

Pursuant to an order, approved April 5, 1956 by the Commissioner of Indian Affairs, the attached Constitution and Bylaws was submitted for ratification to the Affiliated Ute Citizens of the State of Utah of the Uintah and Ouray Reservation and was on May 12, 1956 duly adopted by a vote of 128 for, and 6 against, constituting a majority of the adult members, in an election held on May 12, 1956, in accordance with section 6 of Public Law 671 dated August 27, 1954 (68 Stat. 870).

John O. Crow
Chairman, Election Board

Alfonzo Van
Judge

Daniel Crumbo
Clerk

Clarence P. Harris, Sr.
Clerk

Jasper Pike
Marshall